

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Gary Francis Sheahan

Case No. 1:21-mj-30038

Judge: Unassigned,

Filed: 01-20-2021 At 09:54 AM

SEALED MATTER (krc)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 3, 2020 in the county of Isabella in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

18 U.S.C. § 2241(c)

18 U.S.C. § 1151

18 U.S.C. § 1153

*Offense Description*

Defendant, an Indian, knowingly engaged in a sexual act with I.C., to wit: he intentionally touched the genitalia of a 7-year-old child, not through the clothing and penetrated the anal and genital opening of another by finger, with the intent to arouse or gratify the sexual desire of any person and also at the time the victim was a child who had not yet attained the age of 12 years, and this occurred within Indian country, in violation of 18 U.S.C. §§ 2241(c), 1151, and 1153,

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

*Complainant's signature*

Nick Diedrich, BIA

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 1/20/2021City and state: Bay City, Michigan

*Judge's signature*

Patricia T. Morris, United States Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT  
FOR GARY FRANCIS SHEAHAN**

I, Nick Diedrich, being duly sworn, depose and state:

1. I am a detective with the Saginaw Chippewa Tribal Police and an officer with the Bureau of Indian Affairs and have been a law enforcement officer for approximately 12 years. During my career I have been involved in numerous investigations concerning sexual assault. The following is based on a statement from witnesses and statements from other law enforcement officers and individuals.
2. The information included in this affidavit is provided for the limited purpose of establishing probable cause that Gary Francis Sheahan committed the offenses of Aggravated Sexual Abuse on or around December 3, 2020, in violation of 18 U.S.C. §§ 2241(c), 1151, and 1153 and therefore it does not contain all of the facts known to me. Additionally, unless otherwise noted, wherever in this affidavit I assert that an individual made a statement, that statement is described in substance herein and is not intended to be a verbatim recitation of such statement.
3. On December 10, 2020, D.C. told the police that her 7-year-old grandchild, I.C. reported that on or about December 3, 2020, Gary Francis Sheahan put his finger in I.C.'s rectum at 3630 North Mission Road, Rosebush, Michigan which

is on the Isabella Reservation in Indian country. D.C. also later told police that I.C. told D.C. that I.C.'s bottom was bleeding on December 4, 2020, the morning after the incident.

4. On December 21, 2020, during a forensic interview at the Isabella Child Advocacy Center I.C. told the interviewer that Gary Sheahan "put his finger in there" while I.C. pointed to her vagina and buttock. I.C. also said that Sheahan "licked me right here with his tongue while I.C. pointed to her buttock. I.C. also said that Sheahan then tried to put his tongue in I.C.'s mouth. I.C. said that Sheahan putting his finger in her "butt" caused it to hurt badly. When the interview clarified where it hurt due to the touching, I.C. indicated that it was "where the pee goes out" or her vagina.
5. Affiant is aware that Sheahan has a prior conviction in the Isabella County Circuit Court on February 18, 2004 for criminal sexual conduct in the 1<sup>st</sup> degree which involved a child victim who was under 13 years old. Sheahan was sentenced to 13 to 50 years in that case.
6. On January 15, 2021, Sheahan was interviewed by Det./Sgt. Gary Guzikowski of the Michigan State Police . During that interview, Guzikowski told Sheahan was he was accused of doing to I.C. Initially, Sheahan denied doing it. However, later in the interview, Sheahan said that he was sorry that it happened. Guzikowski drew a hand that represented Sheahan's hand and asked

Sheahan to mark how far he inserted his finger into I.C. during the assault.

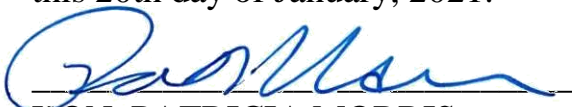
Sheahan drew a line indicating that one of his fingers entered I.C. up to about the first knuckle. Guzikowski asked Sheahan to write out a statement. Sheahan wrote “This incident was a one-time thing. I never meant for it to happen. I truly hold a deep remorse for my actions, not because it came to light but because my action have hurt several people. If I could go back and redo things, this would have never taken place. I apologize to everyone it has hurt, especially [I.C].”

7. Affiant is aware that Sheahan is an Indian.
8. Based on the above-described information, there is probable cause to believe that on or about December 3, 2020, Gary Francis Sheahan committed aggravated sexual abuse of a child under the age of 12, in violation of 18 U.S.C. § 2241(c).



Nick Diedrich  
BIA

Subscribed and sworn to before me  
this 20th day of January, 2021.



HON. PATRICIA MORRIS  
United States Magistrate Judge